

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BLOCKCHAIN MINING SUPPLY AND
SERVICES LTD.,

Plaintiff,

–against–

SUPER CRYPTO MINING, INC. n/k/a
DIGITAL FARMS, INC., and DPW
HOLDINGS, INC. n/k/a AULT GLOBAL
HOLDINGS, INC.,

Defendants.

Civil Action No. 1:18-cv-11099-ALC

EXHIBIT Y

**TO DECLARATION OF DASHA CHESTUKHIN
IN SUPPORT OF PLAINTIFF’S OPPOSITION TO DEFENDANTS’
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT
PURSUANT TO FRCP 12(b)(2) AND 12(b)(6)**

Message

From: Darren Magot [darren@supercrypto.com]
Sent: 5/9/2018 8:17:13 PM
To: sales@timberlane-mldg.com
CC: Todd@dpwholdings.com
Subject: Re: shipment

Hi Willy

I just spoke with Todd who is working with the NYSE to finalize approval of funds to buy the machines. He expected them to approve on Monday but they had follow up questions that have pushed the approval. He hopes to know more from them tomorrow and I'll continue to keep you updated.

Have a good evening

Darren Magot
(714)887-6377

On May 9, 2018, at 3:14 PM, Willy Tencer <sales@timberlane-mldg.com> wrote:

BTW, what is he presenting?

Willy Tencer
Blockchain Mining Supply and Services Ltd.
200 - 345 Wilson Ave.,
Toronto, ON M3H 5W1
Tel. 416 398 1198
Fax 416 398 0878
sales@timberlane-mldg.com

From: darren@supercrypto.com [mailto:darren@supercrypto.com]
Sent: May 9, 2018 4:42 PM
To: sales@timberlane-mldg.com
Cc: 'Milton Ault III' <todd@dpwholdings.com>
Subject: RE: shipment

Hi Willy,

Thank you again. I was just told that Todd landed in NY and is presenting right now. Not sure of the details but I'm being told that he won't be available until 5:00pm PST. I'm copying him here in hopes that we can give you an update when he is free.

I really want the machines and have open racks ready to take them asap.

Darren Magot
www.supercryptomining.com
714-887-6377

From: Willy Tencer <sales@timberlane-mldg.com>
Sent: Wednesday, May 9, 2018 7:39 AM
To: 'Darren Magot' <darren@supercrypto.com>
Subject: RE: shipment

Thanks. I was planning on following up with today, as well. Last week he texted me that funds would be released on Friday.

I need firm confirmation of this. We can let this go on much longer.

Please let me know after you speak with him.

Thanks.

Willy Tencer

Blockchain Mining Supply and Services Ltd.

200 - 345 Wilson Ave.,

Toronto, ON M3H 5W1

Tel. 416 398 1198

Fax 416 398 0878

sales@timberlane-mldg.com

From: Darren Magot [<mailto:darren@supercrypto.com>]

Sent: May 9, 2018 9:47 AM

To: sales@timberlane-mldg.com

Subject: Re: shipment

Good morning Willy

Just I wanted to reach out to let you know that I'm working to get an update from Todd this morning. I believe he's on a plane flying from Florida New York but I should hear back as soon as he lands.

Darren Magot

(714)887-6377

On May 7, 2018, at 7:52 AM, Willy Tencer <sales@timberlane-mldg.com> wrote:

You should have 500 serial numbers for the 5500 S-9 machines and 500 serial numbers for the PSUs. Total 1000 for the 1st shipment.

Willy Tencer

Blockchain Mining Supply and Services Ltd.

200 - 345 Wilson Ave.,

Toronto, ON M3H 5W1

Tel. 416 398 1198

Fax 416 398 0878

sales@timberlane-mldg.com

From: scott@supercrypto.com [<mailto:scott@supercrypto.com>]

Sent: May 4, 2018 6:09 PM

To: sales@timberlane-mldg.com

Cc: 'Darren Magot' <darren@supercrypto.com>

Subject: FW: shipment

Hi Willy;

I have begun to work with the Packing slip serial #'s file (Packing slip AWB 695 Serial Numbers.xls) and have confirmed it holds 1,000 serial #'s and not 500.

Could we possibly have the wrong sheet forwarded to us?

Thanks, Scott

Scott Plantinga
Super Crypto Mining, Inc.
M# (661) 645-8730
O# (949) 614-0644
www.supercryptomining.com

From: Willy Tencer <sales@timberlane-mldg.com>
Sent: Wednesday, April 11, 2018 7:49 AM
To: 'Todd Ault' <Todd@ault.com>; 'Henry Nisser' <hnisser@srflkp.com>; 'Marc Ross' <MRoss@srflkp.com>; 'Thomas Rose' <TRose@srflkp.com>
Cc: 'Joe Spaziano' <joe@supercrypto.com>; 'Scott Plantinga' <scott@supercrypto.com>; 'William Corbett' <bill@digitalpowerlending.com>; darren@supercrypto.com
Subject: RE: shipment

Attached are the serial numbers for all the machines that will be shipping.
The 1st attachment is for the 500 machines that will be paid this Friday 4/13. The 2nd attachment is for the 2nd shipment, being 600 machines.
Balance to be paid on 4/13 is \$1,387,500.00
Said payment is to be released and wired to Blockchain Mining supply upon the Escrow Agent's receipt of signed Confirmation titled "Exhibit A" and release notice "Exhibit B".
Exhibit "A" will be sent to the Escrow agent once the agent confirms that funds are available.
Followed by "Exhibit B".
Could you and the Escrow agent both confirm that you are in agreement and that this is the process to be followed.

Re 2nd shipment to be shipped on 4/20/18.
There is no Escrow agreement in place for this shipment.
Would you like to wire us the funds directly, so that we can have this shipment released to you? Otherwise, you will need to prepare another Escrow agreement to cover this shipment.

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200 - 345 Wilson Ave.,
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Tel. 416 398 1198
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sales@timberlane-mldg.com

From: Todd Ault [<mailto:Todd@ault.com>]
Sent: April 10, 2018 8:36 PM
To: Henry Nisser <hnisser@srflkp.com>; Marc Ross <MRoss@srflkp.com>; Thomas Rose <TRose@srflkp.com>; Willy Tencer <sales@timberlane-mldg.com>
Cc: Joe Spaziano <joe@supercrypto.com>; Scott Plantinga <scott@supercrypto.com>; William Corbett

<bill@digitalpowerlending.com>; darren@supercrypto.com

Subject: Re: update

Willy

Our law firm is on this email.

Here is the plans. SRFK the law firm will get a \$1.3 Plus Million Wire Friday the 13th.

Once they get it you will be notified.

The warehouse people and your team takes it from there. On first 500 S9's

A week later the following Friday we close on the last 600 repeating the same exercise.

You will be updated by me Wednesday at 11 am my time.

All wires and all closing through SRFK which is all in place per the escrow.

Thanks for calling me.

Looking forward to wrapping this up.

Todd

On Tue, Apr 10, 2018 at 5:18 PM Willy Tencer <sales@timberlane-mldg.com> wrote:

What number would you like me to call on?

Willy Tencer

Blockchain Mining Supply and Services Ltd

200-345 Wilson Ave.

Toronto, On. Canada

M3H 5W1

Tel. 416 398 1198

Fax. 416 398 0878

sales@timberlane-mldg.com

On Tue, Apr 10, 2018 at 8:06 PM -0400, "Todd Ault" <Todd@ault.com> wrote:

Willy

Please call me.

Here is the closing date

This Friday the 13th.

Then about 5 days later the balance

Todd

On Tue, Apr 10, 2018 at 5:00 PM Willy Tencer <sales@timberlane-mldg.com> wrote:

Are you still planning on calling today?

Willy Tencer
Blockchain Mining Supply and Services Ltd
200-345 Wilson Ave.
Toronto, On. Canada
M3H 5W1
Tel. 416 398 1198
Fax. 416 398 0878
sales@timberlane-mldg.com

From: Todd Ault <todd@ault.com>
Sent: Tuesday, April 10, 2018 5:12 PM
Subject: Re: update
To: Willy Tencer <sales@timberlane-mldg.com>

Cc: Joe Spaziano <joe@supercrypto.com>, Scott Plantinga <scott@supercrypto.com>, William Corbett <bill@digitalpowerlending.com>, <darren@supercrypto.com>

Loan is approved

Can you chat today. I am awaiting the cleared funds in escrow

How's 1 hour

On Tue, Apr 10, 2018 at 2:11 PM Willy Tencer <sales@timberlane-mldg.com> wrote:

Will you be responding?

Willy Tencer
Blockchain Mining Supply and Services Ltd
200-345 Wilson Ave.
Toronto, On. Canada
M3H 5W1
Tel. 416 398 1198
Fax. 416 398 0878
sales@timberlane-mldg.com

On Apr 10, 2018, at 3:12 PM, Willy Tencer <sales@timberlane-mldg.com> wrote:

I haven't heard from anyone today.
Do we have a release date yet.
Please keep me informed with the latest.
Thx.

Willy Tencer
Blockchain Mining Supply and Services Ltd.
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Toronto, On. Canada
M3H 5W1
Tel. 416 398 1198

Fax. 416 398 0878
sales@timberlane-mldg.com

On Apr 9, 2018, at 6:29 PM, Todd Ault <Todd@ault.com> wrote:

Willy

We are on a wrap up call with our lender in about 1 hour. Once I know when they will release escrow I will email you.

Stand by please

Todd

On Mon, Apr 9, 2018 at 5:22 AM Willy Tencer <sales@timberlane-mldg.com> wrote:

Thanks for the update.

I'm glad things are finally moving forward. We were quite disappointed last week that there was optimistic talk but, in essence, no forward movement on getting this deal completed.

Our position is that we have no problem to work with you and hold the equipment beyond our agreed upon terms, as long as we know that you will honor your payment commitments within a reasonable time.

The payment for the 1st batch has been substantially delayed and we are now approaching the due date for payment of the 2nd batch.

Can you give us "Drop Dead" dates when we should expect both the 1st and 2nd payments?

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Toronto, ON M3H 5W1
Tel. 416 398 1198
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sales@timberlane-mldg.com

From: Todd Ault [mailto:Todd@ault.com]

Sent: April 6, 2018 2:12 AM

To: Willy Tencer <sales@timberlane-mldg.com>

Cc: Joe Spaziano <joe@supercrypto.com>; Scott Plantinga <scott@supercrypto.com>; darren@supercrypto.com

Subject: Re: call

Willie I'm sorry we did not talk today I do have conditional approval from our bank can I expect to sign tomorrow. This will allow us to pay the first 1.3 million+ that's owed I will check in with you tomorrow sometime to let you know when I expect the wire in escrow. It's a \$10 million line of credit and I expect things to flow a little easier now. Thank you

Todd

On Thu, Apr 5, 2018 at 1:16 PM Willy Tencer <sales@timberlane-mldg.com> wrote:

Hi Todd. Are you able to call today?

Willy Tencer

Blockchain Mining Supply and Services Ltd

200-345 Wilson Ave.

Toronto, On. Canada

M3H 5W1

Tel. 416 398 1198

Fax. 416 398 0878

sales@timberlane-mldg.com

On Apr 5, 2018, at 11:59 AM, <darren@supercrypto.com> <darren@supercrypto.com> wrote:

Good morning Willy, +Todd.

Todd planned to call you last night but something must have come up. I'm leaving him a message now as I'm heading out of town today. I know that he will reach out today with an update. I have the team in place to manage the pick up while I'm out once the payment is made (copied here for awareness Scott and Joe).

Sorry for the delay and the missed opportunity to connect last night.

Darren Magot

www.supercryptomining.com

714-887-6377

From: Willy Tencer <sales@timberlane-mldg.com>

Sent: Thursday, April 5, 2018 5:58 AM

To: darren@supercrypto.com

Subject: call

Surprised I didn't get your scheduled phone call or response to my email last night.

Please call asap.

Thanks.

Willy Tencer

Blockchain Mining Supply and Services Ltd.

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Toronto, ON M3H 5W1
Tel. 416 398 1198
Fax 416 398 0878
sales@timberlane-mldg.com

--

Milton "Todd" Ault III
Chairman/CEO/Founder

Ault & Company, Inc

www.Ault.com

P: 714-916-8498

E: Todd@ault.com

www.linkedin.com/in/miltontoddault/

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